

REMARKS

By this Amendment, claim 19 is amended. Claims 20-37 remain in the application. Thus, claims 19-37 are active in the application. Reexamination and reconsideration of the application are respectfully requested.

In item 3 on page 2 of the Office Action, claim 37 was objected to because the Examiner believed that claim 37 should depend from claim 36 instead of claim 35 since “the composition alteration caused due to the combination” is recited in claim 36 and not claim 35.

The Applicants respectfully disagree that claim 37 should depend from claim 36 instead of claim 35. The Applicants note that claim 35 recites “an operation unit operable to operate to record a composition alteration,” and “a recorder operable to record the composition alteration.” Claim 37 recites that “the composition alteration caused due to the combination of the plurality of injections specified by the data specifying a plurality of injections is set to a mixing result flag.” The Applicants respectfully submit that the limitation “the composition alteration caused due to the combination of the plurality of injections” properly depends from claim 35, because claim 35 provides proper antecedent basis for “the composition alteration” recited in claim 37 and claim 19, as amended, provides proper antecedent basis for “the combination of the plurality of injections” since claim 19 recites that “the decided mixing order...is used to properly combine a plurality of the injections which are prescribed to the patient.”

Accordingly, the Applicants respectfully submit that claim 37 properly depends from claim 35. Therefore, the Applicants respectfully request the Examiner to withdraw the objection to claim 37.

In item 5 on page 3 of the Office Action, claims 19-20, 24-29, 31-32 and 34 were rejected under 35 U.S.C. § 102(e) as being anticipated by Bloom et al. (U.S. 6,070,761). This rejection is respectfully traversed for the following reasons.

The Applicants thank the Examiner for kindly conducting the interview with the Applicants’ undersigned representative on September 14, 2005. In the interview, the Examiner and the Applicants’ representative discussed the application and the Bloom et al. reference. The Applicants’ representative pointed out to the Examiner that the apparatus of the present invention supports injection mixing work of a plurality of

injections which are prescribed to a patient, and decides a proper mixing order of a plurality of injections based on acquired injection prescription data prior to the mixing of the plurality of injections prescribed to a patient. The Applicants' representative also pointed out to the Examiner that the term "proper mixing order" is used in the present application for the physical combination of a plurality of injections, not the scheduling of an order of dosing individual injections over a predetermined period of time to a patient.

Bloom et al. discloses an automated medication management system which automatically and mechanically conducts the admixture (the action of mixing) and delivery of intravenous drugs (column 1, lines 17-18) using a preparation and delivery module 308 including a fluid delivery module 88 and a cassette 77 (Column 7, lines 46-48 and Figures 3 and 8). The admixture process of Bloom includes a reconstitution of powdered or lyophilized medication and a dilution step (Column 2, lines 6-18).

Bloom et al. also discloses a scheduling operation whereby a time is entered for one injection to be delivered when there is a scheduling conflict with another delivery (see Column 34, lines 41-45) and a prescription analysis feature which uses other patient information such as patient allergies and other patient medications in deciding when to dose a particular injection to a patient (see Column 29, lines 40-45).

The Examiner agreed with the Applicants' representative that Bloom et al. does not disclose or suggest deciding a proper mixing order for the physical combination of a plurality of injections which are prescribed to a patient.

The Examiner kindly asserted that claim 19 would be allowable over the Bloom et al. reference if amended to recite that "the information represented by the 'proper mixing order' that is decided by the 'decision unit' is then used to determine how to properly combine a plurality of the injections which are prescribed to the patient."

Accordingly, claim 19 has been amended to recite "the decided mixing order displayed by said display unit is used to properly combine a plurality of the injections which are prescribed to the patient."

The Applicants respectfully submit that claim 19 is now clearly not anticipated by Bloom et al. since Bloom et al. does not disclose or suggest deciding a proper mixing order for the physical combination of a plurality of injections.

Therefore, the Applicants respectfully submit that claims 19, as well as claims 20-37, are clearly not anticipated by Bloom et al.

In item 18 on page 6 of the Office Action, claims 21-23 and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bloom et al. in view of Yuyama et al. (U.S. 6,308,109). In item 23 on page 8 of the Office Action, claim 33 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Bloom et al. in view of Merki et al. (U.S. 5,002,055). In item 25 on page 8 of the Office Action, claims 35-37 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bloom et al. in view of Leissing et al. (U.S. 5,281,396).

Yuyama et al., Merki et al. and Leissing et al., either individually or in combination, do not disclose or suggest an apparatus for supporting mixing injection work comprising a decision unit operable to decide a proper mixing order of a plurality of injections which are included in acquired injection prescription data, and a display unit operable to display an indication representing the decided mixing order, where the decided mixing order displayed by the display unit is used to properly combine a plurality of the injections which are prescribed to a patient, as recited in claim 1.

Accordingly, Yuyama et al., Merki et al. and Leissing et al. do not cure the deficiencies of Bloom et al. for failing to disclose or suggest each and every limitation of claim 19.

Therefore, no obvious combination of Bloom et al., Yuyama et al., Merki et al. and Leissing et al. would result in the invention of claim 19 since Bloom et al., Yuyama et al., Merki et al. and Leissing et al., either individually or in combination, disclose or suggest each and every limitation of claim 19.

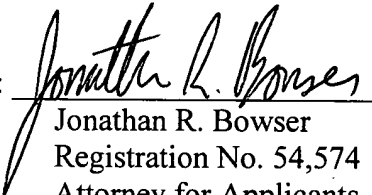
Furthermore, it is submitted that the clear distinctions discussed above are such that are such that a person having ordinary skill in the art at the time the invention was made would not have been motivated to modify Bloom et al., Yuyama et al., Merki et al. and Leissing et al. in such as manner as to result in, or otherwise render obvious, the present invention as recited in claim 19. Therefore, it is submitted that the claim 19, as well as claims 20-37 which depend therefrom, are clearly allowable over the prior art as applied by the Examiner.

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice thereof is respectfully solicited.

If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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